

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

MANUEL BURRUEL, III,

Plaintiff,

v.

ROB BONTA,

Defendant.

Case No. 1:22-cv-00116-EPG (PC)

ORDER FOR PLAINTIFF TO SUBMIT
APPLICATION TO PROCEED IN FORMA
PAUPERIS BY A NON-PRISONER OR PAY
FILING FEE WITHIN 45 DAYS

Plaintiff is a civil detainee proceeding *pro se* in this case. Plaintiff submitted a one paragraph document titled application to proceed in district court without prepayment of fees or costs. (ECF No. 2). In his application Plaintiff states that he is not a prisoner and thus is not subject to financial reporting requirements.

While Plaintiff may not be a prisoner, if he wants to proceed in forma pauperis in this action, he must make a showing that he is unable to pay the filing fee. See, e.g., Corral v. California Highway Patrol, 2021 WL 2268877, at *1 (E.D. Cal. June 3, 2021) (“The court may authorize the commencement of an action ‘without prepayment of fees...by a person who submits an affidavit’ showing that he is unable to pay such fees”) (citing 28 U.S.C. § 1915(a)), report and recommendation adopted, 2021 WL 3488309 (E.D. Cal. Aug. 9, 2021). Plaintiff has not made such a showing.

Therefore, the Court will direct Plaintiff to file an Application to Proceed in District Court

Without Prepaying Fees or Costs (Short Form).

Accordingly, IT IS HEREBY ORDERED that:

1. The Clerk of Court is directed to send Plaintiff an Application to Proceed in District Court Without Prepaying Fees or Costs (Short Form).
2. Within forty-five (45) days of the date of service of this order, Plaintiff shall submit the attached application to proceed in forma pauperis, completed and signed, or in the alternative, pay the \$402.00 filing fee for this action.
3. No requests for extension will be granted without a showing of good cause. Failure to comply with this order will result in dismissal of this action.

IT IS SO ORDERED.

Dated: January 28, 2022

/s/ Eric P. Gray
UNITED STATES MAGISTRATE JUDGE